

## City of Belmont Minimum Wage

### Frequently Asked Questions

#### Q: What is in the Belmont Minimum Wage Ordinance?

**A:** The Ordinance requires all Employers of Employees who perform at least two (2) hours of work per week within the geographical boundaries of Belmont to pay those employees the City Minimum Wage. **As of January 1, 2022, the City Minimum Wage is \$16.20 per hour.**

#### Q: Which employers are subject to the City of Belmont Business License?

**A:** Employers that have a place of business in Belmont or employers that must obtain a business license and pay the applicable business tax to conduct business within the City's limits. Employers are required to pay employees no less than the City Minimum Wage for each hour worked within the geographic boundaries of the City.

#### Q: How much is the City Minimum Wage rate?

**A:** Effective dates and corresponding Minimum Wage rates are summarized in the table below, adopted by Ordinance 2017-1123 on November 14, 2017:

Effective Date	City of Belmont
July 1, 2018	\$12.50
January 1, 2019	\$13.50
January 1, 2020	\$15.00
January 1, 2021	\$15.90
January 1, 2022 and each following year	Regional CPI Increase, Up to 3.5%

#### Q: How often will the Belmont Minimum Wage be adjusted?

**A:** The City Minimum Wage will be adjusted to \$12.50 per hour on July 1, 2018. Beginning January 1, 2019, the City Minimum Wage will increase to \$13.50 per hour, on January 1, 2020, it will increase to \$15.00 per hour, and on January 1, 2021, it will increase to \$15.90 per hour. Every January 1 thereafter, the City Minimum Wage will increase by an amount corresponding to the prior year's Regional Consumer Price Index as reported by the U.S. Department of Labor's Bureau of Labor Statistics. The intent of this increase is to adjust for inflation.

#### Q: What is the difference between the Federal, State and Belmont minimum wage laws?

**A:** Belmont employers are subject to Federal, State and local (Belmont) minimum wage laws. When there are conflicting requirements in the laws, the employer must follow the strictest standard – that is,

the one that is most favorable to the employee. Since Belmont's ordinance requires a higher minimum wage rate than the State and Federal law, covered employers are required to pay the City Minimum Wage. As of January 1, 2021, Federal Minimum Wage is \$7.25 per hour; California Minimum Wage is \$13 per hour; and the **Belmont City Minimum Wage is \$16.20 per hour.**

**Q: Does the ordinance on the City Minimum Wage cover employees who work in Belmont but are not Belmont residents?**

**A:** Yes. Any person, who performs at least two hours of work in a calendar week within the boundaries of the City of Belmont or is required to pay the Belmont Business License tax, is entitled to be paid the City Minimum Wage.

**Q: Does the Belmont minimum wage apply to full-time and part-time employees?**

**A:** Yes, the ordinance applies to any person who performs at least two hours of work in a calendar week for an employer covered by the ordinance.

**Q: May employers use tips or fringe benefits (health insurance, vacation, sick leave) to pay the Belmont minimum wage?**

**A:** No. An employer may not use an employee's tips or fringe benefits as a credit towards the employer's obligation to pay the City Minimum Wage.

**Q: How do I report an issue with City Minimum Wage?**

**A:** The City of Belmont is contracting with the San Jose Office of Equality Assurance to provide enforcement for the Minimum Wage Ordinance. To report a possible violation contact:

Office of Equality Assurance  
200 East Santa Clara Street, 5th Floor  
San Jose, CA 95113  
Phone: 408- 535-8430  
Email: [Mywage@sanjoseca.gov](mailto:Mywage@sanjoseca.gov)